

P 80306 8/16/04

SOLE/Joint  
ATTY DOCKET: 3926.239

### DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter, which is claimed and for which a patent is sought in the application entitled:

#### BRAKING DEVICE

<input type="checkbox"/> Declaration Submitted with Initial Filing	<input checked="" type="checkbox"/> Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)	<input checked="" type="checkbox"/> based on Application No. <u>PCT/EP2004/008722</u> filed <u>August 4, 2004</u> , and amended on  (for declaration not accompanying application)
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I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the Untied States of America, listed below and have also identified below any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed:

Application No.	Country	Filing Date	Priority Claimed (yes or no)
103 36 667.9	Germany	August 9, 2003	yes

I hereby claim the benefit of Title 35, United States Code §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in a listed prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge my duty to disclose any material information under 37 C.F.R. §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application No.	Filing Date	Status (patented, pending, abandoned)
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POWER OF ATTORNEY: As a named inventor, I hereby appoint registered patent practitioners associated with Customer Number 30448 to prosecute this application and transact all business in the U.S. Patent and Trademark Office connected therewith.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date 15.03.06 First Inventor Jan MIEZE  
First Name Middle Initial Last Name

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PAGE 2**

Date \_\_\_\_\_ Second Inventor Matthias \_\_\_\_\_ **PORSCHATIS**  
First Name Middle Initial Last Name

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Date \_\_\_\_\_ Second Inventor Armin \_\_\_\_\_ **SEGELER**  
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Date \_\_\_\_\_ Second Inventor Rene \_\_\_\_\_ **TIBKE**  
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Date \_\_\_\_\_ Second Inventor Yongxing \_\_\_\_\_ **WANG**  
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Date \_\_\_\_\_ Second Inventor Kai, Sascha \_\_\_\_\_ **ZIMMERMANN**  
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Date \_\_\_\_\_ First Inventor Jan Middle Initial \_\_\_\_\_ Last Name MIEZE

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P803068/US1

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